


Pending motion is now moot.

SO ORDERED


FREDERICK J. SCULLIN, JR.
SENIOR U.S. DISTRICT JUDGE

1/8/10

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

D.D., as parent and next friend of N.D., a child
with a disability,

Plaintiffs,

-against-

STIPULATION OF
DISCONTINUANCE

Case No. 5:08-cv-00555

AUBURN ENLARGED CITY SCHOOL DISTRICT,
Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record of plaintiff D.D. o/b/o N.D. and the attorney of record for defendant AUBURN ENLARGED CITY SCHOOL DISTRICT, that whereas no party hereto is an infant or incompetent person for whom a guardian has been appointed, and no person not a party has an interest in the subject matter of this action, the above-entitled action as between D.D. and AUBURN ENLARGED CITY SCHOOL DISTRICT is discontinued with prejudice, in consideration of \$ 7,700.00 paid in hand by defendant AUBURN ENLARGED CITY SCHOOL DISTRICT to LAW OFFICE OF ANDREW K. CUDDY, the attorneys for plaintiff D.D. This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: January 7, 2010
Auburn, New York

s/ Frank W. Miller
LAW FIRM OF FRANK W. MILLER
Attorney for Defendant
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s/ Jason H. Sterne
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